



CITY OF MEMPHIS

COUNCIL AGENDA

August 9, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (July 19, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing the Inaugural Youth City Council. This resolution is sponsored by Councilman Boyd.

ACTION REQUESTED: Adopt the resolution
2. RECOGNITION and thanks to the 2016 City Council interns, for their hard work in the City Council Office. This resolution is sponsored by Chairman Conrad and Councilwoman Swearengen.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

3. RESOLUTION approving a street/alley closure located on Coughlin Drive between Brooks Road and Stonebrook Avenue, containing 2.058 acres in the Employment (EMP) District. This resolution is sponsored by the Office of Planning & Development. (Held from 4/15;5/20;10/7;10/21;11/18;12/16;1/20;3/17;4/21;7;21;10/6; 4/5; 5/3; 5/17; 7/5)

Colvett
Chairman,
Planning &
Zoning

Committee

Case No. SAC 13-605

Applicant: City of Memphis Engineering Division
Bill Wood, Pickering Firm – Representative

Request: Close and vacate a portion of Coughlin Drive Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

25 NOTICES WERE MAILED ON MARCH 6, 2015

4. RESOLUTION to adopt and approve the redevelopment plan, known as the Raleigh Springs Mall Urban Renewal Plan. This resolution is sponsored by Memphis Housing Authority.
- Conrad
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the resolution

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

5.
Robinson
Chairman,
MLG&W
Committee

ORDINANCE to amend Ordinance No. 5515 Relative to Operation and Maintenance of Street Lights and other public safety measures within the Corporate Limits of the City and authorizing the Board of Commissioners of the Memphis Light Gas and Water Division to make a schedule of rates or fees for street lighting and other public safety measures for approval by the Council in accordance with the procedures set forth in Section 680 of the Charter, up for S E C O N D reading. Ordinance No. 5625 is sponsored by Councilwoman Robinson.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

NOTATION FROM OPD

6. **NOTATION** from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

A. Case No. PD 16-04

Located at 263 Mendenhall Road, containing 1.489 acres in the Residential (R-10) District

Applicant: JBJ Properties
Cindy Reaves – Representative

Request: To allow infill development permitting seven (7) lots on an approximately 1.5 acre parcel

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: August 23, 2016



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MLGW FISCAL CONSENT

7. RESOLUTION approving Change No. 3 to Contract No. 11536, Aerial Patrol of Gas Transmission Right-of-Way, with Tennessee Helicopter Services, Incorporated, in the funded amount of \$72,000.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period August 29, 2016 through August 28, 2017, with no increase in rates from the previous year.)
8. RESOLUTION approving payment from MLGW to the Greater Memphis Chamber per existing Contract No. 9916 in the amount of \$80,608.00 with TVA reimbursement to MLGW in the amount of \$40,304.00. This allows MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth.
9. RESOLUTION awarding Contract No. 11861, Substation and Transmission Engineering Services, to Fisher & Arnold, Incorporated in the funded amount, with approved rates, not-to-exceed \$250,000.00.
10. RESOLUTION awarding Contract No. 11882, Mallory Pumping Station Value and Pipe Replacement, to Landmark Construction General Contractor, Incorporated, in the funded amount of \$1,408,950.00.
11. RESOLUTION awarding Contract No. Contract No. 11851, Aerator Maintenance, to R. P. Services, Incorporated, in the funded amount of \$265,000.00.
12. RESOLUTION awarding a contract to Lightspeed Technologies, Inc., for fiber optic terminal/backhaul multiplexers, in the amount of \$635,593.70.
13. RESOLUTION awarding Contract No. 11783, Allen Wellfield Evaluation, to the University of Memphis, Center for Applied Earth Science Engineering Research (CAESER), in the funded amount of \$1,042,564.00.
14. RESOLUTION awarding Contract No. 11782, Independent Claims Adjuster Services, to Horton & Associates of Memphis, in the funded amount of \$120,000.00.
15. RESOLUTION approving the employment of the law firm Thompson Coburn, LLP, Washington, DC, on an as needed basis, at the hourly rate of \$459.00 for Partners/Members and at the hourly rate of \$390.00 for Associates. **(REQUEST FOR SAME NIGHT MINUTES)**

16. RESOLUTION approving the employment of the law firm of McCarter English, LLP, Washington, DC, on an as needed basis, at the hourly rate of \$465.00 for Partners/Members and at the hourly rate of \$200.00 to \$320.00 for Associates.
17. RESOLUTION approving Change No. 2 to Contract No. 11681, Department of Transportation (DOT) Drug and Alcohol Testing, with Mid-South Drug Testing, Incorporated, in the funded amount of \$45,374.02. (This change is to renew the current contract for the second of four annual renewal terms covering the period September 15, 2016 through September 14, 2017, with no increase in rates from the previous year.)
18. RESOLUTION awarding Contract No. 11872, Self-Insured Healthcare, to Cigna, in the estimated funded amount of \$157,181,000.00.
19. RESOLUTION approving Change No. 4 to Contract No. 11570, MLGW Rental Equipment Insurance Coverage, with Clay and Land Insurance Agency (formerly Mid-South Insurance Office, Incorporated), in the funded amount of \$26,500.00. (This change is to renew the current contract for the fourth and final renewal term for the period covering August 24, 2016 through August 23, 2017, with no increase in coverage from the previous year.)
20. RESOLUTION approving Change No. 6 to Contract No. 10546, Lapres Software Maintenance Agreement, with XL Print USA, LLC, in the funded amount \$9,639.00. (This change is to renew the current contract for one year for the Paris Designer and Spooler Software covering the period September 1, 2016 through August 31, 2017, with no increase in rates from the previous year. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by XL Print USA, LLC.)
21. RESOLUTION approving Change No. 2 to Contract No. 11634, Substation Engineering Grounding, with MESA Associates, Incorporated, in the funded amount of \$75,000.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period June 2, 2016 through May 30, 2017, with rate adjustments. This renewal reflects an overall average rate increase of 1.62% resulting from increases to four of the six classifications from June 6, 2016 through May 28, 2017. The increase of the four classifications is as a result of currently falling below the Employment Cost Index).



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REGULAR AGENDA

22.

Spinosa

Chairman,

Personnel,

Intergovern--

mental &

Annexation

Committee

APPOINTMENTS

MEMPHIS BOARD OF ETHICS

Appointment

Joel Martin

Reappointments

Ruth A. Pollard

Edward L. Vaughn

MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

Appointment

Mauricio Calvo

MEMPHIS AND SHELBY COUNTY NEW ARENA PUBLIC BUILDING AUTHORITY (FEDEX FORUM)

Appointment

Sam Cantor

MEMPHIS YOUTH GUIDANCE COMMISSION

Appointments

Megan Pietrowski

Dr. Barbara Prescott

Dr. Gregory Washington

GENERAL ORDINANCES – THIRD AND FINAL READING

23. **ORDINANCE** to amend Ordinance No. 5586, regarding the Citizen’s Law Enforcement Review Board, to conform with State and Municipal Law regarding open meetings and subpoena powers, and for other general matters, up for T H I R D and F I N A L reading. Ordinance No. 5620 is sponsored by Councilman Morgan. (Held from 7/5)
- Morgan
Chairman,
Public Safety
& Homeland
Security

ACTION REQUESTED: Take whatever action Council deems advisable

24. **REFERENDUM ORDINANCE** amending Article 27, Section 190 of The Charter of the City of Memphis same being Chapter 11 of the Acts of 1879, Pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment so as to require that All Employees must live and maintain a Residence within the boundaries of the City of Memphis, Tennessee, up for T H I R D and F I N A L reading. Ordinance No. 5623 is sponsored by Councilman Jones. (Held from 7/19)
- Conrad
Chairman,
Executive
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC WORKS

25. RESOLUTION awarding a grant of \$75,000.00 to Clean Memphis, a 501(c)(3) organization, from the FY2017 Stormwater Program Operating Budget share of the cost to implement clean water initiatives in various City of Memphis drainage basins by removing waste and debris that would otherwise enter the storm water system thus negatively impacting a valuable natural resource. Funding also is used to educate students in public schools in the City of Memphis limits of the impacts of litter and pollutants to our natural resources. This resolution is sponsored by Public Works Division.
- Hedgepeth
Chairman,
Public Works,
Transportation
& General
Services
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

26. RESOLUTION congratulating Chief Master Sergeant Cedric J. Young, Command Chief of the 164th Airlift Wing, on his retirement from the Tennessee Air National Guard. This resolution is sponsored by Chairman Conrad.

ACTION REQUESTED: Adopt the resolution

27.
Spinosa
Chairman,
Intergovern-
mental &
Annexation

APPOINTMENTS

**MEMPHIS AND SHELBY COUNTY NEW ARENA PUBLIC BUILDING
AUTHORITY (FED EX FORUM)**

Appointment

Lane Whitehead

MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS

Appointment

Thomas Pacello

MEMPHIS TRANSPORTATION COMMISSION

Appointment

Angela M. Washington

DIRECTOR OF POLICE SERVICES

Appointment

Michael W. Rallings

28. RESOLUTION accepting grant funds in the amount of \$24,100.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Reemployment Services and Eligibility Assessment (RESEA). This resolution is sponsored by Workforce Investment Network.
- Boyd
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the resolution

ADD-ONS

29. RESOLUTION delaying the removal of City's tree crew from Collins Yard to the Asphalt Plant for 30 days. This resolution is sponsored by Councilwoman Fullilove.
Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee

ACTION TAKEN: Adopt the resolution

30. RESOLUTION accepting (1) SkyCop Camera Solution, compatible with existing MPD equipment, to be installed in the rear parking lot of 535 to 575 S. Highland St. at the request of Loeb Properties, Inc., who gave the necessary funds. The items are being donated by the Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$7,111.36. This resolution is sponsored by Police Services.
Morgan
Chairman,
Public Safety &
Homeland
Security
Committee

ACTION TAKEN: Adopt the resolution

31. RESOLUTION allowing the City of Memphis to accept, allocate, and appropriate grant funds in the amount of \$500,000.00 from the Community Foundation of Greater Memphis for expenses related to staffing and commodities to support the Office of Comprehensive Planning. This resolution is sponsored by Planning and Development Division.
Colvett
Chairman,
Planning &
Zoning
Committee

ACTION TAKEN: Adopt the resolution

(Special Item #4) – RESOLUTION approving \$6,500,00.00 for FY 2017 CIP that funds the paving operations performed by Public Works or directly by Street Maintenance department. This resolution is sponsored by Public Works Division.

ACTION TAKEN BY COUNCIL ON THIS DATE

1. & 2 – Approved
3. Approved, as amended
4. & 5 – Approved
6. Public Hearing Set for August 23, 2016
7. Through 22 – Approved
23. Approved, as amended
24. Held until August 23, 2016
25. Through 31 – Approved
- Special Item #4 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF JULY 19, 2016 MEETING

Approved

ADD-ONS

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #15, #27, #28, #29, #30 & #31
FROM TONIGHT'S MEETING

Approved